

Public Meeting

September 4, 2008

Caucus Hall

5:00 p.m.

Members Present: Jerry Anathan, Duane Gregory, Ken Janson,
and John Livingstone.

Members Absent: Tom Gaudreau (excused)

Staff: Jane Evans, Health Agent
Brian Carlson, Health Inspector

The meeting was called to order at 5:00 p.m.

AGENDA

Public Comments

There were none.

New Business:

18 Miller Hill Road

Administrative Consent Order

Chris Wickson from East Cape Engineering and Ed Lundgren, trustee, presented the case. Jane explained that when one system fails, all the systems serving the property have to be upgraded. Chris did the “quick-fix” septic design for a replacement in kind for the failed leach pit in septic system #1 and for a new d-box in septic system #3.

Motion: Move to recommend approval of an ACO for 18 Miller Hill Road with the provision that once the ACO has been recorded at the Barnstable County Registry of Deeds and proof of recording and first payment provided to the health agent, that the failed leach pit in system #1 and the d-box in system #3 be replaced. The “quick-fixes” for the two systems must be permitted and performed within 30 days of Board of Health approval of the ACO.

Motion: John Livingstone **Seconded:** Ken Janson **Vote:** 4-0-0.

Shoreline Construction / Brian Alexander

New Septic System Installer

Recommendation from Jane Evans, Health Agent, was for approval.

Motion: Move to recommend approval with the provision that the health agent shall inspect the first three installations in two parts. Once after setting the septic tank and d-box and again as a final inspection at the completion of the installation. Mr. Alexander must agree to abide by all state and local regulations pertaining to the installation of septic systems and obtain a copy of both Title 5 and Provincetown Board of Health regulations.

Motion: Ken Janson **Seconded:** Jerry Anathan **Vote:** 4-0-0.

2 Willow Drive

Request to extend variance for one year

Motion: Move to recommend approval of the extension until September 4, 2009 with the requirement that the deed restriction (never recorded) limiting the flow for this property to the existing 358 gpd be recorded at the Barnstable County Registry of Deeds and proof of recording be provided to the Health Agent prior to the issuance of the septic system installation permit.

Motion: John Livingstone **Seconded:** Duane Gregory **Vote:** 4-0-0.

Grand Union Market

Requested by Debora Rosen

She arrived about 5:15 p.m. and said that she's been working with Brian Carlson for about 1½ yrs. She had found that what she wanted (covered light bulbs) wasn't a law in MA. Ted Miller, manager of the Grand Union, had told her this before. She was very surprised when she talked to the state that this wasn't a law; "it just seems sensible to cover any of those bulbs."

Debora's next issue was the temperature of one of the freezers which was 60 degrees. She was upset that they still received their license to operate. She was told that as soon as her complaints were received, they were followed up on by Jane or Brian. Ted Miller, General Manager remedied the issue and, in one instance, discarded all of the food that was suspect.

After discussion with the Health Agent and Inspector about issues being addressed by the Grand Union, the board agreed that no further action need be taken by the Board or its agents. Ms. Rosen was told that any future complaints must be made in writing.

Ms. Rosen expressed her disappointment with the Board of Health.

Approval of Minutes for July 24, 2008

Motion: Approve the minutes of July 24, 2008.

Motion: Ken Janson **Seconded:** Duane Gregory **Vote:** 4-0-0.

Health Agent's Report

Jane said that she has compiled an updated list of the ACO's that have been connected and those still waiting to be connected and the associated gallonage.

Way Downtown restaurant has had no further violations. The critical violation issues have been adequately addressed.

Health Inspector's Report

Brian is busy with Emergency Preparedness. He recently met with Tina Holloway, R.N. who is working closely with him on planning for the county.

There have been fewer closures of beaches this summer. Sandy Turner, DPW, wants Brian to meet with Len Clingham, Chair of Public Pier Corporation, and share data.

Duane asked that any state or local regulations regarding dogs allowed or disallowed at outside seating establishments be put in our packets for next meeting's discussion.

Board Members' Statements

John Livingstone will let Jane know when he's ready for his noise report.

The meeting adjourned at 5:45 p.m.

Respectfully submitted,

Evelyn Gaudiano

E. Rogers Gaudiano

Approved by the Board of Health on _____, 2008

Duane Gregory, Chair